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5 Attorneys for Defendants
6 ACCREDO HEALTH GROUP, INC.,
7 MEDCO HEALTH SOLUTIONS, INC.,
7 SMITHS MEDICAL ASD, INC.
8 formerly known as
8 SMITHS MEDICAL MD, INC.

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 TAMARA MAYNARD, JOSEPH MAYNARD,) CASE NO. 3:09-cv-04564-JL
14 and SEAN MAYNARD,)
15 Plaintiffs,) (Removed from San Francisco County
16 vs.) Superior Court - Case No. CGC-09-
17) 484970)
18))
19 Defendants.) Assigned: Hon. Magistrate Judge
20) James Larson
21) Department: Courtroom F, Fl. 15
22))
23) **STIPULATION AND JOINT REQUEST**
24) **TO EXTEND CASE MANAGEMENT**
25) **SCHEDULE**
26))
27) Action Filed: February 13, 2009
28) Trial Date: None
) Motion Cutoff: September 30, 2011
) Discovery Cutoff: March 1, 2011

Pursuant to Civil L.R. 16-2(d), Plaintiffs and Defendants, by and through their undersigned counsel, hereby stipulate and jointly request that all deadlines in the Case Management Schedule be extended an additional two (2) months.

As grounds for this request, the parties would show that they have been

1 diligently conducting written discovery and document production. This discovery has
2 included voluminous document production from Defendants Smiths Medical ASD, Inc.
3 and Accredo Therapeutics, Inc., and discovery of voluminous medical records pursuant
4 to authorizations provided by Plaintiffs. Through no fault of Plaintiffs or Defendants,
5 there has been an unexpected delay in the acquisition of complete medical records
6 from one key provider, Enloe Medical Center. Enloe Medical Center provided medical
7 care to the decedent with regard to pulmonary hypertension, and the parties expect that
8 it possesses important and relevant documents. Enloe Medical Center's production of
9 records initially included only medical bills, but no medical records. Defendants are
10 awaiting production of the medical records from this provider.

11 Given the claims and issues involved in this case, the parties have had to refrain
12 from proceeding with fact depositions until all relevant medical records have been
13 obtained. Once those records are received, the parties will move forward to complete
14 discovery in this case.

15 Accordingly, the parties hereby stipulate to and jointly request the following
16 Case Management Schedule:

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18 Discovery cutoff: 5/2/2011

19 Expert Deadlines: 7/4/2011 for Plaintiffs' Expert Disclosures

20 8/19/2011 for Plaintiffs' trial experts deposed

21 9/19/2011 for Defendants' trial experts disclosed

22 11/4/2011 for Defendants' trial experts to be deposed

23 Dispositive Motions: 12/2/2011 with a hearing date of early January

24
25 The parties are to decide on a joint ADR process at or around May 2, 2011.

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27
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1 DATED this 14th day of February, 2011

2 BOWMAN AND BROOKE LLP

3
4 By: s/Shane V. Bohnen
5 Michelle R. Gilboe (*pro hac vice*)
6 Shane V. Bohnen (*pro hac vice*)
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12 ACCREDO HEALTH GROUP, INC.,
13 MEDCO HEALTH SOLUTIONS, INC.,
14 SMITHS MEDICAL ASD, INC. formerly
15 known as SMITHS MEDICAL MD, INC.

16 DATED this 14th day of February, 2011

17 LAW OFFICES OF JOHN
18 FITZPATRICK VANNUCCI

19 By: /s/ John Fitzpatrick Vannucci
20 John Fitzpatrick Vannucci
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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
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13 TAMARA MAYNARD, JOSEPH MAYNARD,) CASE NO. 3:09-cv-04564-JL
14 and SEAN MAYNARD,)
15 Plaintiffs,) (Removed from San Francisco County
16 vs.) Superior Court - Case No. CGC-09-
17) 484970)
18)

19 ACCREDO THERAPEUTICS, INC.,) Assigned: Hon. Magistrate Judge
20 DELTEC, INC., and DOES 1 through 50,) James Larson
21 inclusive,) Department: Courtroom F, Fl. 15
22)

23 Defendants.) **[PROPOSED] AMENDED CASE**
24) **MANAGEMENT SCHEDULE**
25)

26) Action Filed: February 13, 2009
27) Trial Date: None
28) Motion Cutoff: None
) Discovery Cutoff: None
)

) Date: September 29
) Time: 10:30 a.m.
) Ctrm: Courtroom F, Fl. 15

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30 PURSUANT TO STIPULATION, IT IS SO ORDERED that the Case
31 Management Schedule be amended as follows:
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2 Discovery cutoff: 5/2/2011
3 Expert Deadlines: 7/4/2011 for Plaintiffs' Expert Disclosures
4 8/19/2011 for Plaintiffs' trial experts deposed
5 9/19/2011 for Defendants' trial experts disclosed
6 11/4/2011 for Defendants' trial experts to be deposed
7 Dispositive Motions: 12/2/2011 with a hearing date of early January
8

9 The parties are to decide on a joint ADR process at or around May 2, 2011.
10
11 DATED: February 14, 2011



12 HONORABLE JAMES LARSON
13 UNITED STATES MAGISTRATE JUDGE
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